

Information on the Regulatory Strategy of the President of URTiP within the postal services market

Until recently, the question of the independence of postal market regulatory institutions has been given very little attention. Currently, in the time of rapid changes and the ongoing process of postal market liberalization in the European Union, taking into account possible adaptation difficulties of the incumbents, very few people undermine the rule that the condition to achieve the stabilization and development of the postal market is the functioning of an independent regulatory authority.

Within the process of EU Directives implementation, national regulatory authorities will have to adapt and change their activities and structures in order to meet the expectations of consumers and to contribute to the market development.

„In the days of ongoing gradual liberalization of the postal market, the effective development of the market is not possible without an efficient regulatory system which serves the state and above all the consumers”. Therefore having such an important regulatory tool as the „Strategy of the President of the Office of Telecommunications and Post Regulation” becomes a necessity.

The Regulatory Strategy of the President of URTiP within the postal market is a general, long-term programme of the development of the Polish regulatory authority formulating long-term objectives and plans for the benefit of the state and the society – universal service consumers.

The Strategy is in compliance with the provisions of the Polish law, the spirit of the EU postal directives and the policy on the effective control of the state over the gradual liberalization and harmonized development of the postal market.

The Strategy is a specific concept of complex action that consists in establishing long-term objectives and their modification depending on the changes taking place in the market place, specifying resources and measures necessary to achieve these goals and the ways ensuring their maximum use. The Strategy presents actions which are necessary to carry out the mission and to achieve the basic objectives of the President of URTiP within the postal market.

For a developing market of postal services it became necessary to draft the Strategy for a regulatory authority responsible for its development and liberalization. In order to face many new challenges, dynamic changes in the state and the EU, the Strategy must take into account different interactions between the institutions and the marketplace. The assumed objectives of the regulatory strategy should specify the meaning and role of this institution in pursuing the state and government policy on the market of postal services and define in what way the regulatory authority through its mission wishes to be seen in the current legal circumstances and in the future.

The pursuit of goals and tasks identified in the Strategy will lead to the modernization of the activity of the regulatory authority thanks to its own standards, standards of the regulatory authorities in the EU Member States and in other countries. In addition, it

should contribute to meeting the society's growing expectations, above all, of the universal service consumers.

In order to find the right answer and to define the role of the regulatory authority in the future, relevant analyses of the marketplace and of the URTiP abilities have been conducted.

The implementation of the Strategy will be taking place within specific stages of implementation reflecting the periods for adaptation of universal service provision to the conditions of the market liberalization defined in the Polish law and the EU postal directives.

The chief reference points adopted in the Strategy included in particular :

- the Polish legal system,
- analytical and scientific achievements of URTiP,
- international standards within the postal market, including the EU Directives,
- scientific achievements of the Research Team of the Szczecin University,

The President of URTiP as a regulatory authority legally obliged to supervise the postal market should follow the fundamental principles and values such as:

- Social service – to the consumers and the State,
- Objectivity and impartiality,
- Openness to the society as recipients of universal service,
- Ethics and professional perfection.

The challenge for URTiP as an organization and people creating it is the strengthening of its prestige and credibility among all market players and further improvement of the work quality.

The mission of the President of URTiP is to create conditions for a harmonized development of the postal services market enabling the growth in the client satisfaction.

Carrying out his mission, the President of URTiP affects positively the development of the postal market by:

- Pointing out threats for the market and consumers, defining distortions, pointing out the violations of law,
- Promoting sensitivity to the legal framework, credible information and education of the society, responsibility and best practice in the field of institutional management.

By means of informing the society about the quality and the scope of universal service provision, about the compliance with the law by postal operators, the President of URTiP will support state institutions in the law-making process and choosing proper ways aimed at sustainable development of the postal market and will also influence market players in order to eliminate the threats and distortions in their activity.

The URTiP President's intention is to obtain a position of respected regulatory authority whose studies and analyses will be an expected and sought-after source of information for the authorities, the society and market players.

The Regulatory Strategy formulates the following objectives:

1. Ensuring a non-discriminatory access to high quality universal postal service at accessible prices in accordance with the requirements defined in the Polish law and the EU directives.
2. Creating conditions for the improvement of postal service to the society and the economy by supporting competition aimed at the market development.
3. Contribution to the harmonized implementation of the adopted programme of gradual liberalization of the national postal services market.
4. Influencing actively the shape of the state policy within postal market services in accordance with current trends taking into account existing internal conditions.
5. The improvement of the work quality of the regulatory authority as well as the effectiveness of cooperation and communication with the external environment.

Stages in the implementation of the strategy by the President of URTiP

=> Stage I: January 2004 – may 2004 (until the accession of Poland to the EU)

This is an initial period intended for the preparation of URTiP for a more efficient performance of tasks stemming from the enforcement of the Polish law and the EU postal directives in the following dimensions:

- Organizational and legal - encompassing the adaptation of the office's organizational structure to the performance of new tasks, drafting and the implementation of operational procedures and mechanisms as well as the competencies for particular posts in order to perform properly the tasks of the regulatory authority;
- Human – completing the recruitment of properly qualified employees and education of currently employed staff with regard to the fulfillment of new tasks;
- Decision-making – working out decision-making procedures, the circulation of documents between different organizational units of the Office and drafting research programmes in the field of postal market monitoring and universal service quality analysis.

=> Stage II: May 2004 – December 2005

II stage of the Strategy of the President of URTiP lasting from the day of accession to the EU till the end of December 2005 will require the above 5 strategic objectives to be achieved by fulfilling the basic functions of the regulatory authority.

=> Stage III: January 2006 until 2009

Includes:

- Further shaping and monitoring of the liberalized postal services market,
- Training of the employees within the scope of performing control tasks and analysis of service quality,
- Growth in the employment of employees monitoring the postal market,
- Extension of an IT system for the purposes of the postal market.

=> Stage IV: screening of activities after 2009

Includes:

- Definition of a new role and functions of the postal market regulator in a liberalized market,
- Inspiring the adaptation of legal and organizational solutions to the EU internal market,
- Further monitoring of the universal service pricing and the implementation of new solutions,
- Systematic monitoring of universal service quality parameters by applying modern technical solutions,
- Creating favorable conditions for the improvement of the postal infrastructure of the public operator and private operators taking into account consumer needs,
- Ensuring non-discriminatory conditions of activity for the postal operators,
- Analysis of changes on the postal market after the complete liberalization of this market and the assessment of the results of market liberalization for the public operator.
- Submission to the Minister of Infrastructure proposals on the rules of universal service provision, inspiring the change of national law provisions from the perspective of a free postal market,
- Participation in working groups of international postal organizations,
- Cooperation with postal regulatory authorities in other countries,
- Cooperation with other state authorities and institutions within the scope of ensuring the compliance of the Polish postal law with the requirements of the EU.

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